

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SCOTT SEDORE,

Plaintiff,

v.

M.D.O.C., *et al.*,

Defendants.

\_\_\_\_\_ /

Case No.: 21-13064

Gershwin A. Drain  
United States District Judge

Curtis Ivy, Jr.  
United States Magistrate  
Judge

**ORDER DENYING PLAINTIFF'S MOTIONS TO COMPEL  
DISCOVERY (ECF Nos. 15, 16)**

Plaintiff filed this civil rights case, without the assistance of counsel, on December 30, 2021. (ECF No. 1). This case was referred to the undersigned for all pretrial matters. (ECF No. 9). Defendants Serena Landfair, Brian Stricklin, and Michigan Department of Corrections ("MDOC") moved for summary judgment based on exhaustion. (ECF No. 8). Plaintiff then moved to compel discovery from Defendants (ECF Nos. 15, 16) so that he can obtain the names of possible defendants.

Any discovery at this point in litigation is premature. In prisoner civil rights litigation, discovery typically commences after the court issues a scheduling order setting discovery and dispositive motion deadlines after the defendants answer the complaint. Defendants have yet to file an answer and the Court has

not entered a scheduling order. The Court must resolve the pending motion for summary judgment (ECF No. 8) before discovery begins. If Plaintiff survives summary judgment, the Court will issue a scheduling order after the defendants answer the complaint. After the parties receive the scheduling order, discovery responses will become required in due course. So, Plaintiff's motions to compel discovery (ECF Nos. 15, 16) are **DENIED**.

**IT IS SO ORDERED.**

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: September 6, 2022

s/Curtis Ivy, Jr.  
Curtis Ivy, Jr.  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on September 6, 2022.

s/Kristen MacKay  
Case Manager  
(810) 341-7850